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8 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
10 **STATE OF CALIFORNIA**

11 In the Matter of the Statement of Issues  
Against:

Case No. **2013-167**

12 **ALICE MUMBI TURNER a.k.a ALICE**  
13 **MUMBI WAMBUI**

**STATEMENT OF ISSUES**

14 Registered Nurse License Application

15 Respondent.

16  
17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Statement of Issues solely in  
20 her official capacity as the Executive Officer of the Board of Registered Nursing, Department of  
21 Consumer Affairs (Board).

22 2. On or about July 22, 2011, the Board received an application for a Registered Nurse  
23 License from Alice Mumbi Turner a.k.a. Alice Mumbi Wambui (Respondent). On or about July  
24 19, 2011, Respondent certified under penalty of perjury to the truthfulness of all statements,  
25 answers, and representations in the application. The Board denied the application on October 5,  
26 2011.

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1 a. On or about November 7, 2006, after pleading nolo contendere, Respondent was  
2 convicted of one interlineated misdemeanor count of violating Penal Code section 602(k)  
3 [trespass: posted lands] in the criminal proceeding entitled *The People of the State of California v.*  
4 *Alice Mumbi Wambuiturner* (Super. Ct. Los Angeles County, 2006, No. 6PY06523). The Court  
5 sentenced Respondent to six (6) days jail, placed her on 36 months probation, ordered her to  
6 perform 100 hours of Cal Trans duty, and ordered her to complete: a 12-Month Batterer's  
7 Counseling Program, and a Graffiti Removal Program.

8 b. The circumstances underlying the conviction are that on or about October 14, 2006,  
9 after leaving a club and admittedly consuming alcoholic beverages, Respondent was involved in a  
10 domestic dispute in a vehicle with her boyfriend, K., where she struck K. in the face  
11 approximately 20 times, and then, used the heel of her shoe to strike K. in the head twice causing  
12 him to bleed and flee for his safety.

13 **SECOND CAUSE FOR DENIAL OF APPLICATION**

14 **(Conduct Warranting License Discipline)**

15 11. Respondent's application is subject to denial under section 480, subdivision (a)(3)(A),  
16 in that Respondent committed acts which, if committed by a licensed registered nurse, would be  
17 grounds for suspension or revocation of the license by violating sections as follows:

18 a. Sections 490 and 2761, subdivision (f). On or about November 7, 2006, Respondent  
19 sustained a substantially related criminal conviction.

20 b. Sections 2761, subdivision (a), and 2762, subdivision (b). On or about October 14,  
21 2006, on the grounds of unprofessional conduct, Respondent used alcoholic beverages to an  
22 extent or in a manner dangerous or injurious to herself or others.

23 c. Section 2761, subdivision (a). On or about October 14, 2006, and November 7, 2006,  
24 Respondent committed acts of unprofessional conduct.

25 Complainant refers to and by this reference incorporates the allegations set forth above in  
26 paragraph 10, subparagraphs a and b, inclusive, as though set forth fully.

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1 **DISCIPLINARY CONSIDERATIONS**

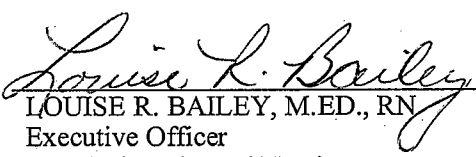
2 12. To determine the degree of discipline, Complainant alleges that on or about  
3 September 8, 2011, Respondent informed the Board through written correspondence that on  
4 December 7, 2007, she was involved in a motor vehicle accident, while driving under the  
5 influence of alcohol. Subsequent to the accident, she was hospitalized for belligerent and erratic  
6 behavior, and was given a sedative by medical professionals at the hospital. She was arrested but  
7 not charged for violating Vehicle Code section 23152, subdivision (a). As a result of this arrest,  
8 Respondent's driver's license was suspended by the Department of Motor Vehicles for a period  
9 of 6 months.

10 **PRAYER**

11 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
12 and that following the hearing, the Board issue a decision:

- 13 1. Denying Alice Mumbi Turner a.k.a. Alice Mumbi Wambui's Registered Nurse  
14 License Application; and  
15 2. Taking such other and further action as deemed necessary and proper.

16 DATED: September 6, 2012

17   
18 LOUISE R. BAILEY, M.ED., RN  
19 Executive Officer  
20 Board of Registered Nursing  
21 Department of Consumer Affairs  
22 State of California  
23 Complainant

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